

IN THE UNITED STATES DISTRICT COURT
FOR THE MASSACHUSETTS

-----X
IN RE: Request from Belgium)
Pursuant to the Treaty)
Between the United States of) No. 04-MC-10019
America and Belgium on Mutual)
Assistance in Criminal Matters)
in the Matter of Harvard Inst.)
of International Development)
-----X

ORDER

Upon application of the United States, and upon review of the request from Belgium seeking evidence under the Treaty on Mutual Legal Assistance in Criminal Matters Between the United States of America and Belgium, and the Court having fully considered this matter,

IT IS HEREBY ORDERED, pursuant to the authority conferred by the Treaty on Mutual Legal Assistance in Criminal Matters Between the United States of America and Belgium, in force January 28, 1988, (____ U.S.T. ____), as well as 28 U.S.C. § 1782 and this Court's inherent authority, that persons within the jurisdiction of this Court shall be required to provide testimony and produce documents and other things in accordance with the Treaty Requests of April 29, 1999 and October 24, 2000, without notice to the target or defendant in the foreign criminal proceedings, and Thomas E. Kanwit is appointed a Commissioner of this Court; to take such steps as are necessary, including the issuance of Commissioner's subpoenas, to obtain the evidence requested by Belgium; to adopt such procedures for the receipt of the evidence

DOCKETED

(1)

as are consistent with the use of the evidence within Belgium; to seek such further orders of the Court as are necessary to execute this request; to certify the testimony and documents obtained and to submit the evidence to the Office of International Affairs, United States Department of Justice, for transmission to Belgium; and to do all else that may be necessary for the accomplishment of the purposes of this Order.

Dated: This 16 day of January, 2004.



UNITED STATES DISTRICT JUDGE

COMMISSIONER'S SUBPOENA

THE UNITED STATES DISTRICT COURT
FOR THE MASSACHUSETTS

TO: RICHARD PETERS
16G Forest Acres Drive
Bradford, MA 01835

I, Commissioner Thomas E. Kanwit, an Assistant United States Attorney in the District of Massachusetts, acting under the authority of the Treaty on Mutual Legal Assistance in Criminal Matters Between the United States of America and Belgium, in force January 28, 1988, (____ U.S.T. ____), and Title 28, United States Code, Section 1782, for the purpose of rendering assistance to Belgium, command that you appear before me in offices of the United States Attorney, in the J. Joseph Moakley Courthouse, 1 Courthouse Way, Boston, MA 02210, at 1:00 p.m., on the 4th day of December, 2003 to provide testimony/documents regarding an alleged violation of:

the laws of Belgium, namely, articles 193, 196, 213 and 214 of the Penal Code regarding inculpation A; articles 193, 196, 197, 213 and 214 of the Penal Code regarding inculpation B; article 496 of the Penal Code regarding inculpation C; and artcle 327 par. 2 and 331 of the Penal Code regarding inculpation D, among other violations,

and that at the time and place aforesaid you provide the following:

Testimony and any documents relating to Patric Delcour, any attempt by him to open an account at Kredietbank in Kortrijk, Belgium, and/or Moonstone Trading, Ltd., M. Helmut Konig, Christian Sailer or Salzburger Kredit-Und Wechselbank A.G.

For failure to attend and provide testimony/said documents, you will be deemed guilty of contempt and liable to penalties under the law.

THOMAS E. KANWIT
Commissioner
Assistant United States Attorney
District of Massachusetts
J. Joseph Moakley Courthouse,
Suite 9200
1 Courthouse Way
Boston, MA 02210

Dated: This _____ day of _____, 2004.